

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF VENTURA
VENTURA**

MINUTE ORDER

DATE: 05/19/2016

TIME: 08:20:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: Lucretia Haering

CASE NO: **56-2014-00461060-CU-NP-VTA**

CASE TITLE: **P.Q.L Inc vs Revolution Lighting Technologies Inc**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Non-PI/PD/WD tort - Other

EVENT TYPE: Motion - Other (CLM) for protective order on behalf of plts

MOVING PARTY: Andy Sreden, P.Q.L Inc

CAUSAL DOCUMENT/DATE FILED: Motion for Protective Order, 04/18/2016

EVENT TYPE: Motion - Other (CLM) for an order designating information as trade secret & confidential.

MOVING PARTY: P.Q.L Inc

CAUSAL DOCUMENT/DATE FILED: Motion - Other for an order designating information as trade secret & confidential. supporting Memo of ps&as and declarations of Andy Sreden and T Randolph Catanese Esq in support thereof, 04/22/2016

EVENT TYPE: Motion - Other (CLM) for an order designating information as confidential.

MOVING PARTY: P.Q.L Inc

CAUSAL DOCUMENT/DATE FILED: Motion - Other for an order designating information as confidential. Supporting Memo of ps&as. Declaration of David Y Yoshida & Declaration of Andy Sreden., 03/30/2016

Additional events listed on last page.

APPEARANCES

Nicholas Kanter, counsel, present for Defendant, Cross - Defendant(s).

Thomas P Carter, counsel, present for Defendant, Cross - Complainant(s) telephonically.

T Randolph Catanese, counsel, present for Cross - Defendant, Cross - Complainant, Plaintiff(s).

Griffin Thorne, counsel for Defendants Gene Fein, Dana Warnes, Blake Delgado

Attorney David Y. Yoshida appearing for Plaintiff PQL, Inc.

Attorney Deborah Sirias appearing telephonically for Defendants Delgado, Fein.

At 8:57 a.m., court convenes in this matter with all parties present as previously indicated.

Regarding the three discovery referees submitted by Plaintiffs:

Matter submitted to the Court with argument.

The Court finds/orders:

Parties agree to a discovery referee. Hon. John Zebrowski is appointed as the discovery referee.

Formal order to be submitted by Plaintiff via email.

Regarding remaining issues on calendar:

Matter submitted to the Court with argument.

The Court finds/orders:

Matter taken under submission.

After further consideration of the submitted matters, the Court rules as follows:

The Court denies Plaintiff's motion for a Protective Order limiting the deposition of Mr. Sreden. Given Mr. Sreden's status as PMK and given the number of Defendant's, the Court declines to limit the deposition as requested by Plaintiff. (*Code Civ. Proc.* section 2025.290(b)(5); *Certainfeed Corp. v. Superior Court* (2014) 222 Cal. App. 4th 1053, 1061.) The Court declines to impose sanctions.

Regarding the Dr. Luna privilege issue of raw data vs. attorney/client work product previously ruled on:

Matter is submitted with argument.

The Court finds/orders:

Anything that Dr. Luna relied upon is discoverable.

Mr. Kanter is to prepared a revised order and submit to the court for signature.

Notice to be given by clerk.

ADDITIONAL EVENTS:

EVENT TYPE: Motion - Other (CLM) Joint) to designate documents not confidential pursuant to paragraph 9 of the Protective order

MOVING PARTY: Revolution Lighting Technologies Inc a Delaware Corporation, Charles J Schaffer, Tri State LED Inc

CAUSAL DOCUMENT/DATE FILED: Motion - Other Joint) to Designate Documents not Confidential Pursuant to paragraph 9 of the Protective Order., 03/23/2016

EVENT TYPE: Motion to Compel further responses to discovery

MOVING PARTY: P.Q.L Inc

CAUSAL DOCUMENT/DATE FILED: Motion to Compel further responses to discovery. MPAs & declaration of T Randolph Catanese in support thereof, 12/31/2015

EVENT TYPE: Motion - Other (CLM) for an Order Enforcing Business Records Subpoena

MOVING PARTY: P.Q.L Inc

CAUSAL DOCUMENT/DATE FILED: Motion - Other for an Order Enforcing Business Records Subpoena Over Written Objections and ofr Monetary Sanctions Declaration of David Y Yoshida Esq in support thereof, 03/29/2016